



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|-------------------------|-------------------------|------------------------|
| 09/382,702 | 08/24/1999 | PETER ANTHONY HOCHSTEIN | 9100'288IREI | 5578 |
| 25099 | 7590 | 01/19/2007 | | |
| DAVID M QUINLAN, PC 32 NASSAU STREET SUITE 300 PRINCETON, NJ 08542 | | | EXAMINER VU, BAO Q | |
| | | | ART UNIT 2838 | PAPER NUMBER |
| | | | MAIL DATE 01/19/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

ND

Advisory Action
After the Filing of an Appeal Brief

Application No.

09/382,702

Applicant(s)

HOCHSTEIN, PETER
ANTHONY

Examiner

Bao Q. Vu

Art Unit

2838

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The reply filed 10-13-06 is acknowledged.

1. ☒ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☒ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☐ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other: Status of the claims 1-6, 25-27, 29-31, 33-36, 39, 40, 43 and 45 are cancelled, claims 7-23 are allowed. Claims 24, 28 have added the limitation of "a conflict monitor compatibility circuit including a transistor coupled to the LEDs and a low impedance load in series connection with the transistor and in parallel connection with the power supply input, wherein the transistor is biased as a switch that in the absence of the high impedance input condition is in an essentially nonconductive condition and in the presence of the high impedance input condition switches to an essentially conductive condition for shunting leakage currents through the low impedance load." Please disclose where these features can be found in the specification especially the drawings and point out the particulars as it relates to the drawings. An examination drawings as shown does not show clearly which elements applicant is trying to claim assuming this is from figure 6b. First transistor coupled to LED is not shown in the conflict monitor circuit and a low impedance load connected in series with transistor and in PARALLEL connection to the power supply input is not readily apparent. Also claims 32 and 44 are significantly different than that of claims presented earlier in the appeal brief dated 5/7/04. Applicant needs to do one of the following as outlined in the box A of statement 1.


BAO Q. VU
PRIMARY EXAMINER